

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD KEITH MIDDLEBROOKS, JR.,

Plaintiff,

v.

PIERCE COUNTY JUDICIAL SYSTEM ,

Defendant.

CASE NO. 3:23-CV-5314

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation from United States Magistrate Judge Michelle Peterson. Dkt. No. 3. Judge Peterson recommends that the Court dismiss Plaintiff's proposed civil rights complaint against the Pierce County Judicial System for failure to prosecute. Plaintiff did not submit with his complaint the required filing fee or an application to proceed *in forma pauperis* ("IFP"). On April 13, 2023, the Clerk notified Plaintiff that his submission to the Court was deficient because he failed to meet the filing fee requirement. Dkt. No. 2. The Clerk set a deadline of May 15, 2023, for Plaintiff to correct the deficiency. *Id.* Plaintiff did not pay the filing fee. Plaintiff has not objected to the Report and Recommendation.

The Court agrees with the Report and Recommendation's reasoning that dismissal without prejudice is warranted.

1 Having reviewed the Report and Recommendation of the assigned United States
2 Magistrate Judge and the remaining record, the Court finds and ORDERS:

- 3 1) The Court ADOPTS the Report and Recommendation.
4 2) The case is DISMISSED without prejudice for failure to prosecute.
5 3) The Clerk is directed to send copies of this Order to the parties.

6 Dated this 26th day of July, 2023.

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9 Jamal N. Whitehead
United States District Judge